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Attorney Docket No. 0155.130US

### REMARKS

Applicants thank the Examiner for the telephonic interview initiated by the Examiner on May 16, 2007 with Applicants' representative, Margaret A. Powers, in which amendments to claim 49 to place the application in condition for allowance were discussed. Applicants thank the Examiner for her time in the follow-up telephonic interviews on May 17 and May 18, 2007 during which claim amendments were agreed upon to place the application in condition for allowance. Applicants appreciate the Examiner's assistance and time.

#### I. STATUS OF THE CLAIMS.

Claims 1-48 were canceled previously, and claim 49 is canceled herein without prejudice to subsequent renewal in a continuation or divisional. New claims 50-53 have been added. These new claims are fully supported by the application as filed and include no new matter.

#### II. AMENDMENTS TO THE SPECIFICATION.

The specification has been amended to insert the Sequence Listing as required pursuant to 37 CFR §1.821(f) and §1.825(a). This Amendment is accompanied by a paper copy of the Sequence Listing and a request to use the computer readable form of the Sequence Listing previously filed in grandparent application US Application Serial No. 09/248,716, filed February 10, 1999. The computer readable form of the Sequence Listing contains sequences identical to those contained in the paper copy of the Sequence Listing submitted herewith and also submitted in grandparent application 09/248,716. This amendment introduces no new matter beyond the content of the application as filed.

The specification has also been amended to include Sequence No. Identifiers where necessary. This amendment introduces no new matter beyond the content of the application as filed.

#### III. STATUS OF PREVIOUSLY SUBMITTED INFORMATION DISCLOSURE STATEMENTS.

On April 29, 2003, Applicants submitted in the instant application a Supplemental Information Disclosure Statement (IDS) (2 pages), a Form PTO/SB/08A-B (2 pages listing 20 references), and copies of the 20 references listed in the Form PTO/SB/08A-B. These documents

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were hand delivered to the USPTO on April 29, 2003, addressed to Examiner Teresa D. Wessendorf, by Applicants' representative, Robyn Errington, of the law firm of Burns Doane Swecker & Mathis LLP of Alexandria, VA. Applicants have not yet received initialed copies of this Form PTO/SB/08A-B by the Examiner. Applicants respectfully request that the Examiner provide Applicants with an initialed copy of this Form PTO/SB/08A-B, verifying the cited references have been made of record and considered. Applicants note that this Supplemental IDS and Form PTO/SB/08A-B are not presently shown in the USPTO's public PAIR system and respectfully request that these documents be entered into the PAIR system.

For the convenience of the Examiner, Applicants provide herewith copies of the following documents hand delivered by Ms. Errington to the USPTO on April 29, 2003: the Supplemental IDS dated April 29, 2003 (2 pages), which shows Ms. Errington's certificate of hand delivery on that date; Form PTO/SB/08A-B (2 pages listing 20 references); and the front and back sides of the accompanying postcard dated April 29, 2003, which lists the documents delivered to the USPTO on that date. As shown, the front and back sides of this postcard were dated stamped by the USPTO as received on April 29, 2003, thus confirming that these documents were filed with the USPTO on that date. Applicants are not providing herewith additional copies of the references cited on the enclosed copy of Form PTO/SB/08A-B, as they believe the Examiner has copies of these references. However, if necessary, Applicants will be happy to provide fresh copies of the cited references.

On October 8, 2003, Applicants filed in the instant application a Second Supplemental Information Disclosure Statement (2 pages) and attached Form PTO SB/08A-B (5 pages listing 93 references), a Third Supplemental Information Disclosure Statement (2 pages) and attached Form PTO SB/08A-B (1 page listing 3 references), and a Request by Applicants for Interference against U.S. Patent No. 6,479,258 to Jay Short [hereinafter "Short's '258 patent"]. Copies of the references cited on these two Form PTO SB/08A-B were also provided. All of these documents were hand delivered on October 8, 2003 to the USPTO, addressed to Examiner Wessendorf, by Applicants' representative, Mercedes Meyer, of Burns Doane Swecker & Mathis LLP and are presently shown in the USPTO's public PAIR system. The 93 references cited in the Form PTO SB/08A-B attached to the Second Supplemental IDS were identical to the references listed in Appendix G and discussed in Appendix C of Applicants' Request for Interference. These references were provided in the Request

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for Interference to demonstrate that all of the claims in Short's '258 patent (i.e., claims 1-86) corresponded to the Count proposed by Applicants. Applicants' proposed Count was identical to Applicants' claim 47 in the instant application. In declaring the interference, the Board of Patent Appeals and Interferences accepted Applicants' proposed Count (which was identical to Applicants' claim 47) and agreed that all of claims 1-86 of Short's '258 patent corresponded to the Count.

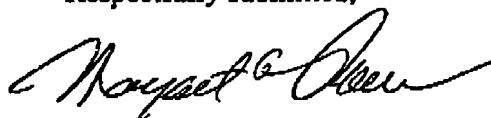
Applicants have not yet received an initialed copy of these two Forms PTO SB/08A-B submitted with the Second and Third Supplemental Information Disclosure Statements, respectfully. Applicants respectfully request that the Examiner provide Applicants with initialed copies of these Forms PTO/SB/08A-B, verifying that the cited references have been made of record and considered.

#### CONCLUSION

In view of the foregoing, Applicants believe the claim now pending in this application is in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. In the event that any issues of substance remain, Applicants hereby request an Examiner interview prior to the preparation of any additional written action by the Examiner.

Please feel free to call the undersigned at (650) 298-5809 to arrange for an Examiner's interview or to discuss any concerns or questions regarding this paper or the application in general.

Respectfully submitted,



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May 21, 2007  
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